

Message Text

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PAGE 01 TAIPEI 07175 010916Z
ACTION EA-12

INFO OCT-01 ISO-00 EB-08 L-03 H-02 COME-00 SCS-06
HA-05 OPIC-06 /043 W
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R 010836Z DEC 77
FM AMEMBASSY TAIPEI
TO SECSTATE WASHDC 5681

UNCLAS TAIPEI 7175

E.O. 11652: N/A
TAGS: BDID, TW
SUBJECT: PROBLEMS OF INTERCON INDUSTRIES

REF : STATE 284508, TAIPEI 7086, AND PREVIOUS

1. ATTORNEY LIAO, WHO ACTS IN AN ADVISORY CAPACITY TO INTERCON INDUSTRIES IN THE ROC, INFORMED THE EMBASSY'S CONSULAR SECTION ON DECEMBER 1 THAT BASED ON HIS LEGAL EXPERIENCE THERE IS NO SPEEDY, LEGAL WAY TO SETTLE THIS CASE FURTHER; A SPEEDY SETTLEMENT IS ONLY POSSIBLE OUT OF COURT. ATTORNEY LIAO STATED THAT INTERCON (TAIWAN) IS A REPRESENTATIVE OFFICE AND IS NOT LICENSED AS A COMPANY IN THE ROC; THUS INTERCON (TAIWAN) IS NOT A LEGAL ENTITY(JURISTIC PERSON) AND AS SUCH CANNOT ITSELF FILE A SUIT AGAINST MISS TING.

2. MR. LIAO WENT ON TO SAY THAT IN ORDER FOR MR. BERGER PERSONALLY TO FILE A SUIT AGAINST MISS TING, MR. BERGER WOULD HAVE TO COME TO THE ROC TO EXECUTE A POWER OF ATTORNEY NAMING MR. LIAO TO REPRESENT HIM PERSONALLY BEFORE THE COURT. MR. LIAO FURTHER STATED THAT IF THE PROCURATOR WERE TO INDICT MISS TING ON CRIMINAL CHARGES, MR. BERGER COULD FILE A CIVIL SUIT AGAINST MISS TING AT THAT TIME AND PETITION THE COURT TO IMPOSE A LIEN ON ANY CLAIMED ASSETS REMAINING IN MISS TING'S POSSESSION.

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3. THE EMBASSY'S CONSULAR SECTION BELIEVES IT HAS DONE ABOUT ALL THAT IT CAN USEFULLY TO TO ASSIST INTERCON INDUSTRIES IN THIS CASE. INTERCON INDUSTRIES AND LEGAL COUNSEL PROBABLY NOW SHOULD DECIDE WHAT COURSE OF ACTION TO PURSUE.

4. IN THIS REGARD, THE EMBASSY BELIEVS MR. BERGER DID
LEAVE A POWER OF ATTORNEY (PERHAPS AS PRESIDENT OF INTERCON)
WITH MISS YUE, A CURRENT EMPLOYEE OF INTERCON. IT MAY
BE POSSIBLE FOR HER TO ACT FOR MR. BERGER PERSONALLY (SEE
PARAGRAPHS 1 AND 2). HOWEVER, ATTORNEY LIAO APPARENTLY
DOES NOT BELIEVE HE HAS BEEN FORMALLY ENGAGED FOR A
FEE TO PURSUE THIS MATTER. PERHAPS ENTRY INTO A CONTRACT
WITH ATTORNEY LIAO SHOULD NOW BE CONSIDERED BY INTERCON.
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